

1042

CONSTITUTION

— AND —

BY-LAWS

— OF THE —

Miami Drake Medical Society

— AND —

THE CODE OF ETHICS

— OF THE —

AMERICAN MEDICAL ASSOCIATION. .

363

DAYTON :

PRINTED AT THE DAILY & WEEKLY JOURNAL, BOOK AND JOB ROOMS.

1864.

COLLETTION

THE NEW YORK PUBLIC LIBRARY

ASTOR LENOX TILDEN FOUNDATION

500 N. 5TH ST. NEW YORK, N. Y.

CONSTITUTION

— AND —

BY-LAWS

— OF THE —

✓
Miami Drake Medical Society

— AND —

THE CODE OF ETHICS

— OF THE —

AMERICAN MEDICAL ASSOCIATION.

DAYTON:

PRINTED AT THE DAILY & WEEKLY JOURNAL BOOK AND JOB ROOMS.

1864.

THE MIAMI DRAKE MEDICAL SOCIETY

Was organized in Middletown, Butler County, Ohio, May 5th, 1864,
by the election of the following officers, and the adoption of the
within Constitution and By-Laws :

PRESIDENT,

I. A. COONS, M. D. Middletown.

VICE PRESIDENT,

R. P. EVANS, M. D. Franklin.

SECRETARY,

O. EVANS, Jr. M. D. Franklin.

TREASURER,

JOHN CORSON, M. D. Middletown.

BOARD OF CENSORS,

D. R. DYCHE, M. D. Monroe,

W. B. McARROY, M. D. Franklin,

A. WAMPLER, M. D. Middletown.

CONSTITUTION.

ARTICLE I.

This Society shall be known as the Miami Drake Medical Society, and its objects shall be the improvement of its members in professional knowledge and practice—the promotion of friendship and harmony of the profession

ARTICLE II.

SEC. 1. Any regular practitioner of medicine and surgery, in good standing in his own neighborhood may become a member of this Society, who by his *adherence to the code of Ethics of the American Medical Association* shows himself entitled to the confidence and fellowship of his medical brethren.

SEC. 11. The name of any person wishing to become a member of this Society shall be presented by a member at any regular meeting, but the question of his admission shall not be voted upon before the next regular meeting when, if he receive a vote of two thirds of those present he may become a member upon signing the constitution, By-Laws, and by paying into the treasury the sum of one dollar.

SEC. 111. Any member who shall violate *any part* of the *Code of Ethics* of the American Medical Association or the Constitution, By-Laws or fee bill of this society, may be suspended or expelled as the society may direct; by a two thirds vote of the members present at any regular meeting, he having been previously notified when his case would be acted upon.

ARTICLE III.

SEC. 1. The officers of this society shall be President, Vice President, Secretary, Treasurer, and a board of three censors, who shall be elected annually in May, by a majority of all the votes cast and shall perform the duties usually devolving upon such officers.

ARTICLE IV.

The Code of Ethics of the American Medical Association shall be adopted by this society as the guide for its members in their intercourse with their patients, irregular practitioners and with their medical brethren; and every person signing the Constitution and By Laws of this society is looked upon as thereby pledging his honor to uphold and abide by the said Code.

ARTICLE V.

The regular meetings of this Society shall be held on the first Thursday of February, May, August and November at such places as a majority of the members present at any meeting may determine, and special meetings may be held once per month, or oftener.

ARTICLE VI.

This Constitution may be altered, amended or added to at any regular meeting by a two-thirds vote, notice having been presented in writing at a previous meeting.

BY - L A W S.

I. The President shall appoint at each regular meeting a member to read an Essay, and one to report cases in the next regular meeting. He shall also see that the Society is entertained by the discussion of medical subjects at its especial meeting.

II. Five members shall constitute a quorum to do business.

III. The following shall be the order of business.

1. Reading and acting on minutes of previous meetings.
2. Reception of new members.
3. Reading Essays and remarks.
4. Reports of Cases.
5. Reports of Committies.
6. Miscellaneous business.

IV. The Censors shall act as a standing committee on all breaches of etiquette, violation of the Code of Ethics and upon all difficulties between members, and shall report the result of their investigations at the next meeting after such investigations have been made.

V. In case a complaint is brought against a member of the board of Censors, the Vice-President shall be *Ex-officio* a member of the board for the investigation of that case.

VI. These By-Laws may be altered or amended at any regular meeting of the society by a two-thirds vote of the members present, provided notice has been given in writing at a previous meeting. They may be also temporarily suspended by a majority vote at any meeting.

NAMES OF MEMBERS.

DR. O. EVANS, SEN., Franklin.

" S. McCLELLAN, Middletown.

" JOHN CORSON, "

" W. B. McARROY, Franklin.

" C. W. MURPHY, Monroe.

" D. R DYCHE, "

" I. A. COONS, Middletown.

" O. EVANS, JR., Franklin.

" W. L. SCHENCK, "

" S. R. EVANS, Middletown.

DR. R. P. EVANS, Franklin.

" A. WAMPLER, Middletown.

" J. C FLEMING, Carlisle.

" B. R. WRIGHT, Springborough.

" A. S. ADAMS, Germantown.

" E. DONNELLAN, "

" M. TROUT, "

" G. C. HENKLE, Farmersville.

" J. B. OWSLEY, Jacksonburg.

CODE OF ETHICS, OF THE AMERICAN MEDICAL ASSOCIATION.

CHAPTER I.

Of the Duties of Physicians to their Patients, and of the obligations of Patients to their Physicians.

Art. I. Duties of Physicians to their Patients.

SEC. 1. A Physician should not only be ever ready to obey the calls of the sick, but his mind ought also to be imbued with the greatness of his mission, and the responsibility he habitually incurs in its discharge. Those obligations are more deep and enduring, because there is no tribunal other than his own conscience, to adjudge penalties for carelessness or neglect. Physicians should, therefore, minister to the sick with due impressions of the importance of their office; reflecting that the ease, the health, and the lives of those committed to their charge, depend on their skill, attention, and fidelity. They should study, also, in their deportment, so to unite tenderness with firmness, and condescension with authority, as to inspire the minds of their patients with gratitude, respect and confidence.

SEC. 2. Every case committed to the charge of a physician, should be treated with attention, steadiness and humanity. Reasonable indulgence should be granted to the mental imbecility and caprices of the sick. Secrecy and delicacy, when required by peculiar circumstances, should be strictly observed; and confidential intercourse, to which physicians are admitted in their professional visits, should be used with discretion, and with the most scrupulous regard to fidelity and honor. The obligation of secrecy extends beyond the period of professional services; none of the privacies of personal and domestic life, no infirmity of disposition or flaw of character observed during professional attendance, should ever be divulged by him except when he is imperatively required to do so. The force and necessity of this obligation are indeed so great, that professional men have, under certain circumstances, been protected in their observance of secrecy, by courts of justice.

SEC. 3. Frequent visits to the sick are in general requisite, since they enable the physician to arrive at a more general knowledge of the disease—to meet promptly every change which may occur, and also tend to preserve the confidence of the patient. But unnecessary

visits are to be avoided, as they give useless anxiety to the patient, tend to diminish the authority of the physician, and render him liable to be suspected of interested motives.

SEC. 4. A physician should not be forward to make gloomy prognostications, because they savor of empiricism by magnifying the importance of his services in the treatment or cure of the disease. But he should not fail, on proper occasions, to give to the patient's friends timely notice of danger, when it really occurs, and even to the patient himself, if absolutely necessary. This office, however, is so peculiarly alarming when executed by him, that it ought to be declined whenever it can be assigned to any other person of sufficient judgment and delicacy ; for the physician should be the minister of hope and comfort to the sick, that by such cordials to the drooping spirit he may smooth the bed of death, revive expiring life, and counteract the depressing influence of those maladies which often disturb the tranquility of the most resigned in their last moments. The life of a sick person can be shortened, not only by the acts, but also by the words and manners of a physician. It is, therefore, a sacred duty to guard himself carefully in this respect, and to avoid all things which have a tendency to discourage the patient and to depress his spirits.

SEC. 5. A physician ought not to abandon a patient because the case is deemed incurable, for his attendance may continue to be highly useful to the patient, and comforting to the relatives around him, even in the last period of a fatal malady, by alleviating pain and other symptoms, and by soothing mental anguish. To decline attendance under such circumstances, would be sacrificing to fanciful delicacy and mistaken liberality that moral duty which is independent of, and far superior to, all pecuniary consideration.

SEC. 6. Consultations should be promoted in difficult or protracted cases, as they give rise to confidence, energy, and more enlarged views in practice.

SEC. 7. The opportunity which a physician not unfrequently enjoys of promoting and strengthening the good resolutions of his patients suffering under the consequences of vicious conduct, ought never to be neglected. His counsels or even remonstrances will give satisfaction, not offence, if they be offered with politeness, and evince a genuine love of virtue, accompanied by a sincere interest in the welfare of the person to whom they have addressed.

Art. II. Obligations of Patients to their Physicians.

SEC. 1. The members of the Medical Profession, upon whom are enjoined the performance of so many important and arduous duties towards the community, and who are required to make so many sacrifices of comfort, ease, and health, for the welfare of those who avail themselves of their services, certainly have a right to expect and require that their patients should entertain a just sense of the duties which they owe to their medical attendants.

SEC. 2. The first duty of a patient is, to select as his medical adviser, one who has received a regular professional education. In no trade or occupation do mankind rely on the skill of an untaught artist; and in medicine, confessedly the most difficult and intricate of the sciences, the world ought not to suppose that knowledge is intuitive.

SEC. 3. Patients should prefer a physician whose habits of life are regular, and who is not devoted to company, pleasure, or to any pursuit incompatible with his professional obligations. A patient should also confide the care of himself and family as much as possible to one physician; for a medical man who has become acquainted with the peculiarities of constitution, habits and predispositions of those he attends, is more likely to be successful in his treatment than one who does not possess that knowledge.

A patient who has thus selected his physician, should always apply for advice in what may appear to him trivial cases, for the most fatal results often supervene on the slightest accidents. It is of still more importance that he should apply for assistance in the forming stage of violent diseases; it is to a neglect of this precept that medicine owes much of the uncertainty and imperfection with which it has been reproached.

SEC. 4. Patients should faithfully and unreservedly communicate to their physician the supposed cause of their disease. This is the more important, as many diseases of mental origin simulate those depending on external causes, and yet are only to be cured by ministering to the mind diseased. A patient should never be afraid of thus making his physician his friend and adviser; he should always bear in mind that a medical man is under the strongest obligations of secrecy. Even the female sex should never allow their feelings of shame or delicacy to prevent their disclosing the seat, symptoms and causes of the complaint peculiar to them. However commendable a modest reserve may be in the common occurrences of life, its strict observance in medicine is often attended with the most serious consequences, and a patient may sink under a painful disease, which might have been readily prevented had timely intimation been given to the physician.

SEC. 5. A patient should never weary his physician with a tedious detail of events and matters not appertaining to his disease. Even as relates to his actual symptoms, he will convey much more real information by giving clear answers to interrogatories, than by the most minute account of his own framing. Neither should he obtrude the details of his business, nor the history of his family concerns.

SEC. 6. The obedience of a patient to the prescriptions of his physician should be prompt and implicit. He should never permit his own crude opinions as to their fitness, to influence his attention to them. A failure in one particular may render an otherwise judicious treatment dangerous and even fatal. This remark is equally applica-

ble to diet, drink and exercise. As patients become convalescent, they are very apt to suppose that the rules prescribed for them may be disregarded, and the consequence, but too often, is a relapse. Patients should never allow themselves to be persuaded to take any medicine whatever, that may be recommended to them by self-conceited doctresses, who are so frequently met with, and who pretend to possess infallible remedies for the cure of every disease. However simple some of their prescriptions may appear to be, it often happens that they are injurious by contravening the plan of treatment adopted by the physician.

SEC. 7. A patient should, if possible, avoid even the friendly visits of a physician who is not attending him ; and when he does receive them, he should never converse on the subject of his disease, as an observation may be made, without any intention of interference, which may destroy his confidence in the course he is pursuing, and induce him to neglect the directions prescribed to him. A patient should never send for a consulting physician without the express consent of his own medical attendant. It is of great importance that physicians should act in concert, for although their modes of treatment may be attended with equal success when employed singly, yet conjointly, they are likely to be productive of disastrous results.

SEC. 8. When a patient wishes to dismiss his physician, justice and common courtesy require that he should state his reasons for so doing.

SEC. 9. Patients should always, when practicable, send for their physician in the morning, before his usual hour of going out, for by being early aware of the visits he has to pay during the day, the physician is able to apportion his time in such a manner as to prevent an interference of engagements. Patients should also avoid calling on their medical adviser during the hours devoted to meals or sleep. They should always be in readiness to receive the visits of their physicians, as the detention of a few minutes is of a serious inconvenience to him.

SEC. 10. A patient should, after his recovery, entertain a just and enduring sense of the value of the services rendered him by his physician, for these are of such a character that no mere pecuniary acknowledgement can repay or cancel them.

CHAPTER II.

Of the duties of Physicians to each other and the profession at large.

Art. I. Duties for the support of Professional Character.

SEC. 1. Every individual on entering the profession, as he becomes thereby entitled to all its privileges and immunities, incurs an obligation to exert his best ability to maintain its dignity and honor, to exalt its standing, and to extend the bounds of its usefulness. He should therefore observe strictly such laws as are instituted for the government of its members; should avoid all contumelious

remarks relative to the faculty, as a body, and while, by unwearied diligence, he resorts to every honorable means of enriching the science, he should entertain a due respect for his seniors, who have by their labors, brought it to the elevated condition in which he finds it.

SEC. 2. There is no profession from the members of which greater purity of character, and a higher standard of moral excellence are required, than the medical; and to attain eminence, is a duty every physician owes alike to his profession and to his patients. It is also incumbent upon the faculty to be temperate in all things, for the practice of physic requires the unremitting exercise of a clear and vigorous understanding; and, on emergencies for which no professional man should be unprepared, a steady hand, an acute eye, and an unclouded head may be essential to the well-being, and even to the life of a fellow creature

SEC. 3. It is derogatory to the dignity of the profession to resort to public advertisements or private cards or handbills, in inviting the attention of individuals affected with particular diseases, publicly offering advice or medicine to the poor, gratis, or promising radical cures; or to publish cases and operations in the daily prints, or suffer such publication to be made, to invite laymen to be present at operations—to boast of cures and remedies; to adduce certificates of skill and success, or to perform any other similar act. These are ordinary acts of empirics, and are highly reprehensible in a regular physician.

SEC. 4. Equally derogatory to a professional character, it is for a physician to hold a patent for any surgical instrument or medicine or to dispense a secret “nostrum,” whether it be the composition or exclusive property of himself or others. For, if such nostrum of equal efficacy, any concealment regarding it, is inconsistent with benevolence or liberality; and if mystery alone give it its value and importance, such craft implies either ignorance or fraudulent avarice. It is also reprehensible for physicians to give certificates attesting the efficacy of patent or secret medicines, or in any way to promote the use of them.

Art. II. Professional services of Physicians to each other.

SEC. 1. All practitioners of medicine, their wives and their children, while under their parental care, are entitled to the gratuitous services of any one or more of the faculty residing with them whose assistance may be desired. A physician afflicted with disease is usually an incompetent judge of his own case; and the natural anxiety and solicitude which he experiences at the sickness of a wife, or child, or one who, by the ties or consanguinity is rendered peculiarly dear to him, tend to obscure his judgment, and produce timidity and irresolution in his practice. Under such circumstances, medical men are peculiarly dependent upon each other, and kind offices and professional aid should always be cheerfully and gratuitously afforded. Visits, however, ought not to be obtruded officiously, as such unasked

civility may give rise to embarrassments, or interfere with that choice on which confidence depends. But if a distant member of the faculty, whose circumstances are affluent, request attendance, and an honorarium be offered, it should not be declined; for no pecuniary obligation ought to be imposed which the party receiving it would wish not to incur.

Art. III. Of the duty of Physicians as respects various offices.

SEC. 1. The affairs of life, the pursuit of health, and the various accidents and contingencies to which a medical man is peculiarly exposed, sometimes require him temporarily to withdraw from his duties to his patients, and to request some of his professional brethren to officiate for him—compliance with the request is an act of courtesy, which should always be performed with the utmost consideration for the interest and character of the family physician, and when exercised for a short period, all the pecuniary obligations for such services should be awarded to him. But if a member of the profession neglect his business in quest of pleasure and amusement, he cannot be considered as entitled to the advantages of the frequent and long continued exercises of the fraternal courtesy, without awarding to the physician who officiates, the fees arising from the discharge of his professional duties.

In obstetrical and important surgical cases, which give rise to unusual fatigue, anxiety and responsibility, it is just that the fees accruing therefrom should be awarded to the physician who officiates.

Art. IV. Of the duties of Physicians in regard to Consultations.

SEC. 1. A regular medical education furnishes the only presumptive evidence of professional abilities and requirements and ought to be the only acknowledged right of an individual to the exercise and honors of the profession. Nevertheless, as in Consultations, the good of the patient is the sole object in view, and is often dependent on personal confidence, no intelligent regular practitioner, who has a license to practice from some medical board of known and acknowledged respectability, recognized by this Association, and who is, in good moral and professional standing in the place in which he resides, should be fastidiously excluded from fellowship, or his aid refused in consultation, when it is requested by the patient. But no one can be considered as a regular practitioner, or a fit associate in consultation, whose practice is based on an exclusive dogma, to the rejection of the accumulated experience of the profession, and of the aids actually furnished by anatomy, physiology, pathology, and organic chemistry.

SEC. 2. In consultations, no rivalry or jealousy should be indulged; candor, probity, and all due respect should be exercised towards the physician having charge of the case.

SEC. 3. In consultations the attending physician should be the first to propose the necessary questions to the sick; after which the consulting physician should have the opportunity to make such farther

enquiries of the patient as may be necessary to satisfy him of the true character of the case. Both physicians should then retire to a private place for deliberation; and the one first in attendance should communicate the directions agreed upon to the patient or his friends, as well as any opinions which may be thought proper to express. But no statement or discussion of it should take place before the patient or his friends, except in the presence of all the faculty attending, by their common consent, and no opinions nor prognostications should be delivered, which are not the result of previous deliberations and concurrence.

SEC. 4. In consultations, the physician in attendance should deliver his opinion first; and when there are several consulting, they should deliver their own opinions in the order in which they have been called in. No decision, however, should restrain the attending physician from making such variations in the mode of treatment as any subsequent unexpected change in the character of the case may demand. But such variation, and the reason for it, ought to be carefully detailed at the next meeting in consultation. The same privilege belongs also to the consulting physician, if he is sent for in an emergency, when the regular attendant is out of the way, and similar explanations must be made by him at the next consultation.

SEC. 5. The utmost punctuality should be observed in the visits of physicians when they are to hold consultations together, and this is generally practicable, for society has been considerate enough to allow the plea of a professional engagement to take precedence of all others, and to be an ample reason for the relinquishment of any present occupation. But as professional engagements may sometimes interfere and delay one of the parties, the physician who first arrives should wait for his associate for a reasonable period, after which the consultation should be considered as postponed to a new appointment. If it be the attending physician who is present, he will of course see the patient and prescribe; but if he be the consulting one, he should retire, except in case of emergency, or when he has been called from a considerable distance, in which latter case he may examine the patient and give his opinion in writing, under seal, to be delivered to his associate.

SEC. 6. In consultations, theoretical discussions should be avoided, as occasioning perplexity and loss of time. For there may be much diversity of opinion concerning speculative points with perfect agreement in those modes of practice which are founded, not on hypothesis, but on experience and observation.

SEC. 7. All discussions in consultations should be held as secret and confidential. Neither by words or manner should any of the parties to a consultation assert or insinuate that any part of the treatment pursued did not receive his assent. The responsibility must be equally divided between the medical attendants—the must equally share the credit of success as well as the blame of failure.

SEC. 8. Should an irreconcilable diversity of opinion occur when several physicians are called upon to consult together, the opinion of the majority should be decisive; but if the numbers be equal on each side, then the decision should rest with the attending physician. It may, however, sometimes happen, that two physicians cannot agree in their views of the nature of the case, and the treatment to be pursued. This is a circumstance much to be deplored, and should always be avoided if possible, by mutual concessions, as far as they can be justified by a conscientious regard for the dictates of judgment. But in the event of its occurrence, a third physician should if practicable, be called to act as umpire, and if circumstances prevent the adoption of this course, it must be left the patient to select the physician in whom he is most willing to confide. But as every physician relies upon the rectitude of his judgment, he should when left in the minority, politely and consistently retire from any further deliberation in the consultation, or participation in the management of the case.

SEC. 9. When circumstances occur to render a special consultation desirable, the physician whose assistance is required in such cases, should sedulously guard against all future unsolicited attendance. As such consultations require an extraordinary portion of both time and attention,, at least a double honorarium may be reasonably expected.

SEC. 10. A physician who is called upon to consult, should observe the most honorable and scrupulous regard for the character and standing of the practitioner in attendance; the practice of the latter should be justified, as far as it can be consistently with a conscientious regard for truth, and no hint or insinuation should be thrown out which could impair the confidence reposed in him, or affect his reputation. The consulting physician should also refrain from any of those extraordinary attentions or assiduities which are too often practiced by the dishonest, for the base purpose of gaining applause, or ingratiating themselves into the favor of families and individuals.

Art. V. Duties of Physicians in cases of Interference.

SEC. 1. Medicine is a liberal profession, and those admitted into its ranks should found their expectations of practice upon the extent of their qualifications, not on intrigue or artifice.

SEC. 2. A physician, in his intercourse with a patient under the care of another practitioner, should observe the strictest caution and reserve. No meddling inquiries should be made; no disingenuous hint be given relative to the treatment of his disorder, nor any course of conduct pursued that may directly or indirectly tend to diminish the trust reposed in the physician employed.

SEC. 3. The same circumspection and reserve should be observed when, from motives of business or friendship, a physician is prompted to visit an individual who is under the direction of another practitioner. Indeed, such visits should be avoided, except under peculiar

circumstances, and when they are made, no particular enquiries should be instituted relative to the nature of the disease, or the remedies employed, but the topic of conversation should be as foreign to the case as circumstances will admit.

SEC. 4. A physician ought not to take charge of, or prescribe, for a patient who has been under the care of another member of the faculty in the same illness, except in cases of sudden emergency, or in consultation with the physician previously in attendance, or when the latter has relinquished the case, or been regularly notified that his services are no longer desired. Under such circumstances, no unjust and illiberal insinuations should be thrown out in relation to the conduct or practice previously pursued; which should be justified as far as candor and regard for truth and probity will permit; for it often happens to patients become dissatisfied when they do not experience immediate relief, and, as many diseases are naturally protracted, the want of success in the first stage of treatment affords no evidence of a lack of professional knowledge or skill.

SEC. 5. When a physician is called to an urgent case, because the family attendant is not at hand, he ought unless consultation is desired, to resign the care of the patient to the latter immediately on his arrival.

SEC. 6. It often happens in cases of sudden illness; or of recent accidents or injuries, owing to the alarm and anxiety of friends, that a number of physicians are simultaneously sent for. Under these circumstances, courtesy should assign the patient to the first who arrives, who should select from those present, any additional assistance that he may deem necessary. In all such cases, however, the practitioner who officiates, should request the family physician, if there be one, to be called, and until his further attendance be requested, should resign the case to the latter on his arrival.

SEC. 7. When a physician is called to the patient of another practitioner in consequence of the sickness or absence of the latter, he ought on the return or recovery of the regular attendant, and with the consent of the patient, to surrender the case.

SEC. 8. A physician when visiting a sick person in the country may be desired to see a neighboring patient who is under the regular direction of another physician, in consequence of some sudden change or aggravation of symptoms. The conduct to be pursued on such an occasion is to give advice adapted to the circumstances; to interfere no further than is absolutely necessary with the general plan of treatment; to assume no future direction, unless it be expressly desired; and in this last case to request an immediate consultation with the practitioner previously employed.

SEC. 9. A wealthy physician should not give advice, gratis, to the affluent; because his doing so is an injury to his professional brethren. The office of a physician can never be supported as an exclusively beneficent one; and it is defrauding in some degree, the common funds for its support, when fees are dispensed with, which might justly be claimed.

SEC. 10. When a physician, who has been engaged to attend a case of mid-wifery, is absent, and another is sent for, if delivery is accomplished during the attendance of the latter, he is entitled to the fee; but should resign the patient to the practitioner first engaged.

Art. VI. Of differences between Physicians.

SEC. 1. Diversity of opinion, and opposition of interest, may, in the medical, as in other professions, sometimes occasion controversy and even contention. Whenever such cases unfortunately occur, and cannot be immediately terminated, they should be referred to the arbitration of a sufficient number of physicians, or a Court-medical.

As peculiar reserve must be maintained by physicians toward the public, in regard to professional matters, and as there exist numerous points in medical ethics and etiquette, through which the feeling of medical men may be painfully assailed in their intercourse with each other, and which cannot be understood or appreciated by general society, neither the subject matter of such difference, nor the adjudication of the arbitrators should be made public, as publicity in a case of this nature may be personally injurious to the individuals concerned, and can hardly fail to bring discredit on the faculty.

Art. VII. Of Pecuniary Acknowledgements.

SEC. 1. Some general rules should be adopted by the faculty in every town or district, relative to pecuniary acknowledgements from their patients, and it should be deemed a point of honor to adhere to these rules, with as much uniformity as varying circumstances will admit.

CHAPTER II.

Of the duties of the Profession to the Public, and of the obligations of the Public to the Profession.

Art. 1. Duties of the Profession to the Public.

SEC. 1. As good citizens, it is the duty of Physicians to be ever vigilant for the welfare of the community, and to bear their part in sustaining its institutions and burdens. They should also be ever ready to give council to the public in relation to matters especially appertaining to their profession, on subjects of medical police, public hygiene, and legal medicine. It is their province to enlighten the public in regard to quarantine regulations, the location, arrangement and dietaries of hospitals, asylums, schools, prisons, and similar institutions, in relation to the medical police of towns, as drainage, ventilation, &c.; and in regard to the measures for the prevention of epidemic and contagious diseases; and when pestilence prevails it is their duty to face the danger, and to continue their labors for the alleviation of the suffering, even at the jeopardy of their own lives.

SEC. 2. Medical men should always be ready when called on by legally constituted authorities, to enlighten coroner's inquests and courts of justice, on subjects strictly medical, such as involve questions relating to sanity, legitimacy, murder by poison on other violent

means, and in regard to the various other subjects embraced in the science of medical jurisprudence. But in these cases, and especially where they are required to make a post mortem examination, it is just in consequence of the time labor and skill required, and the responsibility and risk they incur, that the community should award them a proper honorarium.

SEC. 3. There is no profession, by the members of which eleemosynary services are more liberally dispensed, than the medical; but justice requires that some limits should be placed to the performance of such good offices. Poverty, professional brotherhood, and certain public duties referred to in section 1 of this chapter, should always be recognized as presenting claims for gratuitous services, but neither institutions endowed by the public or by rich individuals, societies of mutual benefit, for the insurance of lives, or for analogous purposes, nor any profession or occupation, can be admitted to possess such privilege. Nor can it be justly expected of physicians to furnish certificates of inability to serve on juries, to perform military duty, or to testify to the state of health of persons wishing to insure their lives, without a pecuniary acknowledgment. But to individuals in indigent circumstances, such professional services should always be cheerfully and freely accorded.

SEC. 4. It is the duty of physicians who are frequent witnesses of the enormities committed by quackery, and injury to health and even the destruction of life caused by the use of quack medicines, to enlighten the public on these subjects, to expose the injuries sustained by the unwary, from the devices and pretensions of artful empirics and imposters. Physicians ought to use all the influence they possess, and professors of colleges of Pharmacy, by exercising their opinion in regard to the shops to which their prescriptions shall be sent, to discourage druggists and apothecaries from vending quack and secret medicines, or from being in any way engaged in their manufacture or sale,

Art. 11. Obligations of the public to Physicians.

SEC. 1. The benefits accruing to the public directly and indirectly, from the active and unwearied beneficence of the profession, are so numerous and important, that physicians are justly entitled to the utmost consideration and respect from the community. The public ought likewise to entertain a just appreciation of medical qualifications; to make a proper discrimination between true science and the assumptions of ignorance and empiricism, to afford every encouragement and facility for the acquisition of medical education, and no longer allow the statute books to exhibit the anomaly of exacting knowledge from physicians, under liability to heavy penalty, and of making them obnoxious to punishment for resorting to the only means of obtaining it.

